

## FOUR JURORS PRE-SELECTED FOR THE MURDER CASE

### MURDER CASE PROGRESSES SLOWLY

Many Veniremen Are Rejected by Attorneys on Both Sides.

### ATTENDANCE LARGE IN THE COURT ROOM

Robert L. Ober, collector for Tuttle Paint and Glass company, John A. Bradford, manager Western Construction company, John E. Walker, office engineer for Southwestern system, R. S. P. Cass, formerly clerk at Western Abstract company, and also employed in tax collector's office.

Of the four jurors who were selected Monday and Tuesday for the trial of John Leech, Ober is from Missouri, Bradford from Kentucky, Walker from Missouri, and Cass from Tennessee.

Two new jurors were selected at the Tuesday morning session, one at the close of the Monday afternoon session, making four of the 12 men that will try John Leech. Ober is from Missouri, Bradford from Kentucky, Walker from Missouri, and Cass from Tennessee.

Four challenges used. The defense has used four of its 15 peremptory challenges already, while the state has been forced to challenge but once peremptorily. Monday H. D. Boyer, who was in court challenged in this way. E. M. Ray followed, and Tuesday morning the defense also took exception to E. A. Shelton and Herman Andreas. The state's peremptory challenge was used in excusing J. R. Golden, manager of the Golden Plumbing company. The remainder of the veniremen were excused for cause, the greater number of whom escaped jury duty by pleading scruples against the death penalty, or that they had fixed opinions.

Victor Moore was in charge of the examination of the veniremen Tuesday in place of district attorney W. D. Howe, who conducted this part of the state's case on the opening day. Judge J. E. Wharton continues in charge of the defendant's case.

Leech continues to take an active interest in the proceedings and frequently consults with his attorneys regarding the qualifications of the veniremen. Mr. Leech was also in court during the day and sat a few feet back of her husband.

Leech is watching the proceedings closely and also the newspaper accounts. He frequently asks the reporters covering the case what is being written about him. He is being guarded by Capt. W. D. Greet, deputy sheriff, and deputies Jim Newton and Juan Franco. Franco and Newton are also attending the juryman, who are watched almost as closely as the prisoner. The two that were accepted Monday were locked up Monday night and will not be allowed to talk with anyone or read the papers about the case during its progress.

The defense used its first of the 15 peremptory challenges Monday afternoon in excusing H. D. Boyer, local manager of the Occidental Life Insurance company. He was passed by the state after answering all of the preliminary questions satisfactorily. The defense challenged for cause, claiming that the venireman had formed a fixed opinion.

One man chosen. The next man, the special venire called proved to be the first jurymen he secured. He was Robert L. Ober of the Tuttle Paint and Glass company. He answered all of the questions satisfactorily, had no scruples against the death penalty in case of guilt, and was

passed by the state, accepted by the defense and state, and asked to occupy the first seat in the jury box. He was sworn as a juror at 3:30 p. m. Ober's selection seemed to give general satisfaction, both among the attorneys for the state and defense. He is an intelligent young business man of family and is considered an excellent juror.

W. Norton, of the International Book and Stationery store, was next called, and after stating that he had formed an opinion that might influence his action in the case, he was challenged for cause by the defense. The state then passed him. Judge Clarke then went over the statements made by Mr. Norton and excused him for cause. Then followed four prospective jurors who stated that they had conscientious scruples against the infliction of the death penalty. They were J. B. Nigra, Charles F. Newson, George Newell and J. H. Murphy. They were each excused by the state. Mr. Mitchell was then excused because he was not a householder.

Wyeth Doak, a clerk employed by Turner & Davis, upon examination stated that he had no conscientious scruples against capital punishment. The defendant's attorneys asked that Mr. Doak be disqualified, but the court refused to do so. Then by the agreement of the state and defendant's counsel, he was excused. Fred Miller, the next talsman, was disqualified by the challenge of the state. He was a clerk in the law office of the state, and defendant's counsel, he was excused. Emil Strauss was excused, stating he had scruples against capital punishment. C. A. Brandenburg stated he held an opinion that could not be changed by evidence and he was excused by the court for cause.

E. M. Ray, a merchant at the smelter, stated that he held an opinion in the case, but that it could be changed, also that he was not opposed to capital punishment. On examination by the defendant's attorneys Mr. Ray stated that he and Mr. Kohlberg had been good friends; that they belonged to the same lodge; were both directors in the Rio Grande Valley bank, and that he had had business dealings with Mr. Kohlberg and still did business with the firm of Kohlberg Bros. The defendant's attorneys charged for cause, but Judge Clarke overruled the motion. Mr. Ray then stated that he had expressed an opinion in the case. The defendant then renewed the challenge, but it was again overruled. Upon further examination Mr. Ray stated that he had said a man who would commit such a murder should be hung. The challenge was again renewed, but the court's ruling stood and the defendant's attorneys exercised their second peremptory challenge.

Second Juror Chosen. John A. Bradford, a former railroad contractor, stated that he had no scruples against capital punishment, but at present held an opinion in the case, but that it could be changed by evidence. The defense then interposed a challenge for cause, but the court refused to do so. Mr. Bradford was then sworn and took his place in the jury box. John A. Bradford, a railroad engineer in the civil engineering department of the Southwestern railroad system, was chosen as the third jurymen, and was sworn and took his place in the jury box. John A. Bradford, a railroad engineer in the civil engineering department of the Southwestern railroad system, was chosen as the third jurymen, and was sworn and took his place in the jury box.

Special trial judge Patrick Henry Clark, who presided at the trial Monday and he is presiding in a way that is giving complete satisfaction to both the attorneys for the state and defense. Judge Clark's ruling stood and the defendant's attorneys exercised their second peremptory challenge.

Judge Clarke's attitude on the bench is most judicial and he makes a striking appearance in his frock coat and gray hair and glasses. His high accent is good to hear and his rulings are as strong and clear as his features. That nothing shall enter into the case upon which either side may claim a technical reversal, seems to be the special trial judge's intention and he is giving each side an equal opportunity to present its case and is impartial in his rulings.

Several minutes during the opening day of the trial attorney Wharton and district attorney Howe had verbal clashes while the preliminary examination of the prospective juryman proceeded. Wharton insisted that the district attorney was using leading questions unnecessarily and the state's attorney insisted that he had that right in the examination of the venireman.

H. D. Boyer, called first Tuesday morning, had conscientious scruples against infliction of the death penalty and was excused by the state. J. R. Golden was passed by the state and later excused by the state's attorney on a peremptory challenge. Golden having been a member of a labor union at one time.

Tuesday Morning Session. H. D. Boyer, called first Tuesday morning, had conscientious scruples against infliction of the death penalty and was excused by the state. J. R. Golden was passed by the state and later excused by the state's attorney on a peremptory challenge. Golden having been a member of a labor union at one time.

Harry Corning was disqualified because he had fixed opinions which he said he would take into the jury box. Defense Uses Third Challenge. E. A. Shelton, an expert accountant, was challenged for cause by the defense because he had formed an opinion. He was questioned by Judge Clarke regarding his opinion and it

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## TWO THOUSAND DRY FARMING ATTENDEES MEET IN CONGRESS AT LOS ANGELES

Committee Reports Occupy Day at Los Angeles Convention.

### ANNUAL ADDRESS OF PRESIDENT IS MADE

Los Angeles, Cal., Oct. 4.—Delegates to the 26th annual convention of the American Bankers' association today heard reports of committees, a report upon "bills of lading" being received with the greatest interest. More than 2000 delegates have arrived.

Four Want Next Meeting. Although invitations of rival cities for the 27th annual convention will not be presented to the convention until next Friday, yet a vigorous fight is already on by delegates from Atlantic City, New Orleans, San Antonio, Texas, and Richmond, Va.

Last night the members of the executive council of the American Bankers' association and heads of various committees were entertained at an elaborate banquet at the Alhambra. The menu was in the form of a government bond with engraved coupons calling for each course.

At the meeting of the executive council, R. W. Mott of Oswego, N. Y., presented his resignation and the vacancy on the council was filled by the election of H. W. Smith, president of the Rockville Center, N. Y., bank. Mr. Mott resigned to accept the presidency of the New York State Bankers' association.

PRESIDENT PIERSON'S ADDRESS. Los Angeles, Cal., Oct. 4.—At the annual convention of the American Bankers' association here today, Lewis E. Pierson, of New York, president of the association, delivered his annual address, saying:

The attitude of our association has been fully justified in its opposition to the bank guarantee heresy by the reported failure of that proposition in the state of Oklahoma, where it originated, and it can only be hoped that congress will heed the unanimous warnings of our members as to the ultimate consequences of a postal savings bank system.

Bill of Lading Frauds. During the year the failure of two cotton houses and one grain concern revealed bill of lading frauds totaling nearly \$10,000,000.

This condition, long predicted by your bill of lading committee, precipitated a loss of confidence in this document as an instrument of value to the extent that foreign bankers, largely affected through these frauds, passed resolutions announcing their determination to withhold acceptance of bills drawn against cotton exports.

In view of these conditions and the necessity for action, the association has held numerous conferences between commercial bodies, representatives of railroads and your bill of lading committee, and a special sub-committee of the bank bankers have been organized to investigate the matter.

Bank Supervision. The clearing house section of our association has successfully urged the employment of examiners to clear houses to make regular examinations of the banks in some of the large cities and we find an increasing number of banks each year employing outside auditors to make independent examinations of the books of their directors.

All this work, I believe, would be greatly aided by the development of a uniform system of bank accounting. Manufacturers reduce to the smallest fractions the cost of each operation in producing goods, while bankers have too long been prone to lump expenses and income and take chances on coming out with profit.

During the past few years members of our association have met severe losses as a result of a clever system of note kiting, which, in spite of public opinion, seems to be increasing.

The operations appear to be instigated and guided by people whose newspaper advertisements offering financial means catch many unwary, well meaning and well rated merchants and manufacturers, who, yielding to the tempting offers set forth, share inevitable bankruptcy, with shame to themselves as dupes and loss to their creditors.

These dupes are advised to open accounts in designated banking institutions where the management may appear lax, or, more often, their own bank may be selected as a target, and for a while good balances are maintained, sometimes with funds furnished for the purpose.

Button Pressed by Taft Starts Spokane Meeting to Work.

### PRESIDENT MONDELL COULD NOT ATTEND

Spokane, Wash., Oct. 4.—President Taft, by pressing a button at Beverly, gave the signal in the Spokane army for the normal opening of the fifth Dry Farming congress. After a salute to the international colors and the singing of "America" by public school pupils, mayor N. S. Pratt welcomed the delegates in behalf of the city. Addresses of welcome were also made by C. M. Fassett, president of the Spokane chamber of commerce, and governor M. E. Hay.

Message From Taft. A message from president Taft to John T. Burns, secretary of the Dry Farming congress, was read as follows:

Please extend to the delegates of the fifth annual Dry Farming congress my hearty greetings and best wishes for a most successful meeting where methods and plans can be discussed which will greatly aid the development of the semi-arid regions of the west.

Roosevelt Sends Greeting. Another from Theodore Roosevelt was read:

Oyster Bay, L. I., Oct. 3.—John T. Burns, Secretary, Spokane: Accept my warmest wishes for the success of the Dry Farming congress. The conquest of what was once called the arid west is one of the most notable of American achievements and it is being effected by the success of irrigation and partly by successful dry farming.

President Monnell's Address. "The term 'Dry Farming' in its narrower and more restricted sense is applied to the practice of agriculture, and the growth of crops in regions of limited rainfall through conservation of the natural moisture. In its broader sense it means the application of scientific agriculture through which all available plant food is conserved and utilized in such a manner as to produce the best, the most certain, and the most continuous results.

Opinions Differ. "Men will differ widely in their views as to just how much territory—measured in acres—should be set aside for dry farming methods must be utilized in order to secure safe, certain and profitable returns in agriculture. An annual precipitation of 20 inches has sometimes been arbitrarily fixed as a maximum limit of what should be termed 'Dry Farming' territory, and yet it is a fact that many regions of considerable altitude, in its more northern latitude, and with good drought resistant soils, are safer as farming regions even under ordinary or slipped methods, than other regions of lower altitude, less drought resistant soils, having a considerably larger precipitation.

Moreover, it depends largely on the character and distribution of the rainfall whether or not the maximum benefits may be secured from certain precipitation. My personal opinion is that no one can afford to farm under ordinary conditions in regions of less than 25 inches of rainfall without adopting, to a certain extent, at least, those set principles of conservation which have come to be classified under the name of 'Dry Farming'.

Severe Test This Year. "In the years since we began the conquest of the sub-humid lands we have had no such experience as that of the present season. Over a large portion of the territory from the Gulf to the Saskatchewan, from the coast range to the Father of Waters we have

had an unusual condition of drought and hot winds. This condition has not been uniform, it is true. Here and there regions have had normal, or approximately normal, conditions. Taken as a whole, however, our western country having ordinarily a limited rainfall has suffered from drought such as has seldom been known.

One would naturally suppose that such a condition as this would have the disastrous effect of discouraging the movement and discouraging to the dry farmer. To a certain extent this is true, but one who has kept in touch with the dry farming movement, and with the dry farmers, must have been struck with the wonderful spirit of hopefulness and confidence generally prevailing. Wherever I have been, wherever I have met dry farmers, the almost universal sentiment has been: "When we can do as well as we have in such an extraordinarily dry year, we are more confident than ever of the success of dry farming methods."

The Essentials. "The essentials can be summed up in a few words—deep plowing to create a sufficient reservoir; a period for water storage; surface cultivation to conserve the moisture thus stored; careful seed selection and planting—result a harvest certain and satisfactory.

Home-Making. "Above all things let us preach home-making on the dry farms. The fact that shade trees, orchard and garden must in many instances be carefully tended in order to produce satisfactory results has a tendency to discourage these valuable adjuncts to home-making, but dry farming shall be most genuinely successful in proportion as we shall make it a basis of attractive home-making, and this means diversified farming, fruit growing wherever it can be made profitable, planting of trees, growing of vegetables, and the cultivation of a wide variety of crops. All these are first essentials in the development of any community through dry farming methods."

LA FOLLETTE UNDERGOES OPERATION SUCCESSFULLY. Rochester, Minn., Oct. 4.—Senator Robert M. La Follette of Wisconsin was operated upon this morning by Dr. Mayo for gallstones. The operation occupied 45 minutes and eight gallstones were removed. The patient rallied well and the prospects for his recovery are good.

REFUSES TO PLAY CARDS. STRUCK BY LIGHTNING. Napoleonville, La., Oct. 4.—Just after Pierce Gros, 18 years old, had declined an invitation to enter a card game at a dance hall three miles from here last night, he was struck by lightning and instantly killed. The card players escaped with slight shocks.

## SEARCH FOR DYNAMITE PLAINTEFF IN BIG DAMAGE SUIT

Against Southern Pacific GOES TO COURT IN AMBULANCE

### PLAINTIFF IN BIG DAMAGE SUIT

Lying on a cot which is placed on the long table in front of the jury box in the 41st district court, J. R. Daniels, the plaintiff in a \$50,000 damage action against the Southern Pacific railway, is hearing the testimony introduced in his case.

Daniels is stopping at a local hospital and is carried to and from the court room in an ambulance. He is unable, it is said, to move without assistance, and is in the care of an attendant and his sister.

The petition in the case recites that Daniels, who was a timekeeper for the Southern Pacific at Lordsburg, N. M., sustained internal and spinal injuries last May in a rear end collision, it being alleged that a train ran into a car in which Daniels was located. It is also alleged that the car was standing on a sidetrack.

Brush, Colo., Oct. 4.—Seventy-five hives of angry bees played an important part in delaying traffic on the Burlington railroad near here following a collision of two freight trains in which 20 cars were destroyed and a large quantity of household goods damaged.

The bees were in a car, being shipped to California and when the collision occurred, they started to find who was responsible for bumping them.

S. D. Nelson, of Upland, Neb., owner of the bees, was severely punctured before he could escape, and the wrecking crew was kept at bay for several hours before the bees were smoked out.

PRENTICE IS CHAIRMAN OF NEW YORK COMMITTEE. New York, N. Y., Oct. 4.—Ernest P. Prentice, deputy attorney general and former assemblyman, was today chosen chairman of the Republican state committee to succeed Timothy L. Woodruff.

PLAN TO BLAZE THE ROUTE FOR AVIATORS. Sky Lights on Captive Balloons to Point Out the Race Course. Chicago, Ill., Oct. 4.—Plans for "blazing" the route of the aviators in the New York-Chicago race, which is scheduled for next Saturday, were completed last night.

Indian "smudges" and captive balloons are among the signals which will be used to designate the 75 stations on the route.

Generally speaking, the aviators will follow the Lake Shore & Michigan Southern railroad to Buffalo, and the New York Central the remainder of the way. The aviators will fly in a cluster in order to aid each other in case of accident.

RUSSIAN SOCIALIST LEADER IS KILLED. Azeff, Fighting Socialist, Reported Assassinated at Wiesbaden. St. Petersburg, Russia, Oct. 4.—The Novorossiya today reports that Boris Azeff, who is described as both head of the fighting Russian Socialists and a political police spy, has been assassinated at Wiesbaden.

YELLOW FEVER OUTBREAK REPORTED AT CAMPECHE. Washington, D. C., Oct. 4.—An outbreak of yellow fever at Campeche, Mexico, with two deaths, and of cholera at Sardinia, Italy, with four cases discovered and one death, has been reported to the state department.

KENTUCKY FIGHTERS DIE IN EACH OTHER'S ARMS. Corbin, Ky., Oct. 4.—Henry Lee, a constable, and James Williams, a private policeman, fell dead in each other's arms at the end of a shooting affray here. Neither man missed a shot. Williams' body being pierced by six bullets and Lee's by five.

Lee had shot and seriously wounded Williams' father and brother several weeks ago.

ALABAMA MOB BURNS NEGRO AT THE STAKE. Montgomery, Ala., Oct. 4.—Six hours after he had attacked Mrs. Hiram Stuckey, a young woman of Covington county, Bush Withers, negro "trusty" was taken from the warden last night while en route to prison at Andalusia, tied to a stake by an infuriated mob of 400 men and burned.

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Rewards Aggregating \$100,000 Stimulate Search For Wreckers of Times.

Los Angeles, Cal., Oct. 4.—The search for the dynamite launchers who destroyed the Times building last Saturday embraces today all the country between San Francisco and San Diego, and from the Pacific ocean to the deserts of San Joaquin.

While there has been no cessation of the search for the conspirators here the police are more confident than ever that the hunt in San Francisco will produce important results.

Launch Is Traced. Report was received today that the launch Peerless on which the conspirators are supposed to have shipped the dynamite from Giant, Cal., has been traced from San Pablo to Avila on San Francisco Bay. According to the information the launch was met at the latter place by an automobile which immediately started southward. The police here do not believe the dynamite was brought south in an automobile, as that would have been dangerous. They are convinced the launch brought the explosive to some point on the coast near San Pedro, while some of the conspirators came south in their motor car.

Seventh Body Found. The seventh body and part of a backbone of another were recovered from the ruins of the Times building last night. Several bodies are pinned beneath the mass of twisted steel girders, but it will be impossible to recover them until the steel is removed. The bodies are clumped together. It is impossible to identify six of the bodies recovered.

Rewards Aggregating \$100,000. Under the stimulus of proffered rewards aggregating \$100,000, hundreds of men, policemen and private citizens here and in all coast cities are searching for clues that may lead to the arrest of the hand of conspirators held responsible for the blowing up of the Times building last Saturday.

Attempted destruction of the homes of Gen. Harrison Gray Otis and F. J. Zeehandelaar, secretary of the Merchants and Manufacturers' association, there were at least three men concerned in the outrage which cost the lives of more than a score of Times employees and the city has placed a price of \$10,000 on the head of each criminal. Gen. Otis has placed a reward of \$5000 for every man captured and convicted, and on top of all this, members of the Merchants and Manufacturers' association decided to offer a reward of \$50,000. Twenty-five thousand of this amount already has been subscribed. The rest will be contributed tomorrow.

Upon the assumption that at least three men were responsible for the wrecking of the Times, the combined offers of rewards thus reaching up to \$100,000—a figure almost unprecedented in the annals of criminal suits, and indicative of the determination of all classes to hunt down and bring to justice the perpetrators of the dynamite outrage.

May Call Off All Strikers. One newspaper friendly to labor printed a first page editorial today demanding that strikes now in progress be called off. In view of the strictures directed at the union in connection with the explosion, the State Federation of Labor, which met in convention here today, probably will take action tomorrow looking toward the appointment of investigators who will work in conjunction with the committee named by the city officials.

One Funeral For All. Gen. Otis and Harry Chandler of the Times, are making arrangements for the holding of one funeral service for all the victims of the disaster, while a committee, consisting of the editors and managers of all the papers in the city, are gathering at the city hall, with a view to relieving the families of the victims. The body of Churchill H. Edler, night editor of the Times, who died of his injuries a few hours after the explosion, was held today; interment being in Rosedale cemetery, while Gen. Otis plans to have the remains of the dead, whom it has been found impossible to identify, interred in his private plot at Hollywood.

If the families of the men don't object, we will have them interred in one grave," said Gen. Otis, "and we will raise a monument to their memory, which will bear the names of all."

SAN FRANCISCO CLUES. LEAD BACK TO LOS ANGELES. San Francisco, Calif., Oct. 4.—Following up clues to the dynamite blow-up to have been used in blowing up the Los Angeles Times building last Saturday.

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## Charge American Is Chief of Smugglers

Blaine, Ariz., Oct. 4.—A report is current here that Mexican officers secretly crossed the frontier into Naco Saturday night, hid in a house and succeeded in arresting strategy and taking across the line an American citizen, name unknown, alleged by them to be chief of a smuggling gang.

The American's wife, it is said, has notified the state department asking protection.

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## MAKES FLIGHT OVER PYRENEES MOUNTAINS

Biarritz, France, Oct. 4.—M. Tabuteau made a splendid flight over the Pyrenees mountains from Spain to France last evening. The aviator rose at San Sebastian and directing his course between the lofty peaks of Haya and Pizguibel, followed the valley of the river Bidassoa to the sea, over which he passed to Biarritz.